

## **APPENDIX G**

### **Lynn DPW Street Opening Permit Manual**

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Street Opening	
Street Obstruction	
Driveway	
Street Closing	
Dumpster	
Demolition	
Other	

# CITY OF LYNN

## STREET OPENING PERMIT APPLICATION

LWSC Given 72 Hours Notice Yes No  
City Council Approval Required Yes No  
Special Conditions Attached Yes No

**PERMIT #** \_\_\_\_\_  
Permit not valid unless signed  
and approved by inspector.

**Dig Safe No.** \_\_\_\_\_  
This permit is null and void unless a valid dig safe number appears above.  
(excluding street obstructions)

**PERMIT ISSUED:** \_\_\_\_\_

**PERMIT EXPIRES:** \_\_\_\_\_

Applicant \_\_\_\_\_

Contractor \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number: \_\_\_\_\_

After Hours: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

After Hours: \_\_\_\_\_

**Location of Proposed Work:** \_\_\_\_\_

**Describe Nature of Proposed Work:** \_\_\_\_\_

Road Closure Required: \_\_\_\_\_

Name of Insurer: \_\_\_\_\_

Date Policy Expires: \_\_\_\_\_

Name of Surety: \_\_\_\_\_ Bond Number: \_\_\_\_\_

Date Policy Expires: \_\_\_\_\_ Amount of Bond: \_\_\_\_\_

**The Permittee is required to notify this office at least 24 hours before the date and hour work is to begin. 781-477-0939.**

### Excavation Dimensions:

Length: \_\_\_\_\_ Width: \_\_\_\_\_ Total Square Footage: \_\_\_\_\_

Starting Date: \_\_\_\_\_ Completion Time: (days) \_\_\_\_\_

This is to certify that I am familiar with the rules, regulations and ordinances of the City of Lynn and attest that I will do all work in conformance with said rules, Regulations and ordinances.

**Applicant's Signature**

(For Inspector use only below dotted line)

**Date**

Application for Permit: \_\_\_\_\_ Approved \_\_\_\_\_ Approved as Noted \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

Application Check No. \_\_\_\_\_ Amount Paid: \_\_\_\_\_

**COMMENTS:** (Will be used by the Engineer to note special conditions under which permit is issued or to explain reasons for denial)

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**Temp. Patch Size:** Length \_\_\_\_\_ Width \_\_\_\_\_ Square Feet: \_\_\_\_\_ Temp. Insp. Date: \_\_\_\_\_

**Actual Opening Size:** Length \_\_\_\_\_ Width \_\_\_\_\_ Square Feet: \_\_\_\_\_ Final Insp. Date: \_\_\_\_\_

**OPENING IN STREET** YES NO **OPENING IN SIDEWALK** YES NO **CURB CUT** YES NO **ASPHALT IN CONC. SDWK.** YES NO

Engineer's  
Signature: \_\_\_\_\_

APPLICANT TO COMPLETE

FOR INSPECTOR

## **GENERAL CONDITIONS:**

1. The Permittee shall carefully observe the ordinances, rules and specifications adopted by the City of Lynn to govern the work covered by this permit. Failure to observe said ordinances, rules and specifications may result in revocation of this permit.
2. All work shall be in accordance with the Department of Public Works rules and specifications regulating street excavation, curb cuts, sidewalk and street construction, sanitary and storm sewer installations.
3. The Permittee shall give notice to the Department of Public Works, Engineering Office, 24 hours in advance of excavation.
4. A copy of this permit shall be kept at the work site and shall be available to Public Works or Public Safety officials upon request.
5. No work shall result in the concentration and discharge of surface or subsurface water into public or private property without permission of the owner.
6. The permit is null and void unless a valid DIG SAFE number appears on the permit form.
7. It is the permittee's responsibility to provide bond and certification of insurance, indemnification of the City of Lynn, traffic control plan and waiver of claims, as required before the issuance of a permit. Work resulting in violation of the City of Lynn ordinance will be reconstructed to conformance at the applicant's expense.
8. All materials, workmanship and job protective measures, including the use of barricades and police officers, if and when needed, shall be in line with good construction practice set forth in the "Manual on Uniform Traffic Control Devices" and the Massachusetts Department of Public Works manual of "Standard Specifications for Highways and Bridges" subject to the written approval of inspection by the Commissioner of Public Works or his designee. All work, in any event, must be performed to good construction standards to the complete satisfaction of the Commissioner of Public Works or his designated inspector. The contractor shall remain responsible for, and shall warrant and guarantee, the quality of all work including excavations, connections, pipe laying and construction of structures for a period of thirty six (36) months from the date of final inspection.
9. No construction activity shall occur between the hours of six PM and seven AM without the approval of the Commissioner of Public Works or his designee.
10. No Street shall be closed nor detour established without the approval of the Chief of Police, Fire Chief and Commissioner or his designee.
11. No materials shall be stored within the public way outside of working hours without the approval of the Commissioner of Public Works or his designee.
12. Backfill and compaction of all trenches and openings shall be as outlined in Addendum B.
13. The permit applicant hereby authorizes the City of Lynn to make emergency temporary repairs to any street right of way excavation as may be necessary to insure the safety of pedestrians and vehicles and to charge the cost of said repairs to the applicant.
14. The Commissioner of Public Works, or his designee, may revoke this permit at any time should the permittee fail to conform to the City of Lynn Permit Manual.

**CITY OF LYNN  
MASSACHUSETTS  
D.P.W.**

**Street Opening  
Permit Manual**

**DEPARTMENT OF PUBLIC WORKS  
250 COMMERCIAL STREET  
LYNN, MASSACHUSETTS 01905**

Revised 01/05/06

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## **I. ACTIVITIES REQUIRING A PERMIT**

A street opening permit must be obtained by any person or persons proposing to obstruct, excavate, or perform construction on or under any public road, public park, sidewalk, or waterway owned, controlled, or maintained by the City of Lynn. This shall include any work done to, in or under any street, sidewalk, water, sewer, or drainage system in Lynn. Obstruction of any street or sidewalk for the maintenance, demolition, or construction of any building or structure shall require a street opening permit. Construction of a driveway to access any public way or removal of a street tree shall also require a street opening permit.

City highways have been established and are maintained primarily for the purpose of movement of vehicles and pedestrians. It is also desirable to allow individuals and utility companies to utilize highway rights of way for purposes other than transportation. However, to prevent recurring, dangerous, and annoying interruptions to traffic and pedestrians, and to avoid interference with future road construction and construction methods, it is necessary that strict control be maintained and standard procedures be followed for excavations, construction, and maintenance of City highways.

## **II. DEFINITIONS**

"Excavation" shall mean any opening in the surface of a public place made in any manner whatsoever, except an opening in a lawful structure below the surface of a public place, the top of which is flush with the adjoining surface and so constructed as to permit frequent opening without injury or damage to the public place.

"Public Place" shall mean any public street, way, place, alley, sidewalk, park, square, plaza, or any other similar public property owned, controlled, or maintained by the City and dedicated to public use.

"City" shall mean the City of Lynn and/or its Commissioner of the Department of Public Works.

"Commissioner" shall mean the Commissioner of the Department of Public Works or his designee.

"Substructure" shall mean any pipe, conduit, tunnel, duct, manhole, vault, buried cable, or wire, or any other similar structure located below the surface of any public place.

"Facility" shall mean any pipe, pipeline stub, main, service, trap, vent, manhole, meter, gauge, regulator, valve, conduit, wire, tower, pole, pole line, anchor, cable, junction box, or any other material, structure, or object of any kind or character, whether enumerated herein or not, which is or may be lawfully constructed, left, placed or maintained in, upon, along, across, under, or over any public place.

"Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

"Standard Specification(s)" shall mean the Massachusetts Highway Department's Standard Specifications for the Construction of Roadways and Bridges, as amended.

"Utility" shall mean a private company, corporation, or quasi-municipal corporation under the direction and control of the Department of Public Utilities.

"Newly Constructed, Reconstructed, or Repaved Streets" shall mean any street which has been newly constructed, reconstructed, or repaved within the past five (5) years.

### **III. PERMIT APPLICATION**

An application for a permit to conduct an excavation or perform maintenance on existing facilities within a public place must be filed with the City of Lynn before preliminary investigation will be made for permit issue. Standard application forms for a permit may be obtained from the Lynn Department of Public Works. Each application form shall be completely filled in, signed, and delivered to the Lynn Department of Public Works. An explanation of the purpose and scope of the application and a sketch of the proposed project shall be made, when required by the Commissioner either in the space provided on the form or a separate sheet, in duplicate, which the Applicant shall attach to the application. Such diagrams or sketches shall show the location of the work to be done in relation to the outstanding features of the road, such as property lines, intersections, pavement lines, sidewalks, trees, drainage structures, and utility poles by number, and the character and extent of the work.

The Applicant will be required to disclose the methods and materials proposed to be used. In the event the Applicant discovers that additional work or repairs not designated in the original permit must be done in the same location, the Applicant shall make an additional application to the City of Lynn for a permit to authorize the additional work in the same manner as the first permit. A determination shall be made by the Commissioner if the additional work shall require an additional permit to be issued or shall be treated as an amendment to the original permit. The Applicant shall be responsible for payment of all additional fees related to the additional work at the time of the determination.

When the work proposed includes excavating in the public way, the sketch will show the proposed cut lines including dimensions and the relation to existing buildings or other features. The application will include sieve analysis and proctor of proposed backfill material meeting Standard Specification M1.03.0, type C.

This permit is issued and accepted on the condition that the person accepting it shall not disturb nor interfere with any conduits, culverts, covers, pipes, drains, storm drains, catch basins, hydrants, or pumping stations belonging to the City or the Lynn Water & Sewer Commission used in the laying out, construction, maintenance, or operation of the water and sewer system or any water and sewer project and shall not interfere with the repair, relocation and flowage of said system nor shall reimbursement be required for any cost of relocation or removal of tracks, conduits, pipes, wires or poles or other property located in the public way or domain of the City or the Lynn Water & Sewer Commission which so interfere.



**A. Plans and Specifications**

When applications are made for permits involving work of major scope, as determined by the Commissioner, plans certified by a Professional Engineer and specifications must be submitted in duplicate with the application form. They should be detailed so that the exact location of the various parts of the work, the risk of injury to road users, and the probability of damage to trees, highway structures, and private property can be ascertained.

**B. Rejection of Application**

- 1) When it appears that the work called for in an application would not conform to City regulations, or cause substantial or needless damage to a highway, or create excessive disturbances to traffic, or exceptionally dangerous conditions not commensurate with the benefits to the Applicant, the request for a permit shall be denied.
- 2) The Commissioner may refuse to issue a permit to any person, company, or utility when, in his opinion, work performed under a permit previously issued to the Applicant has not been properly executed, or when said Applicant has failed to reimburse the City for recoverable charges billed under terms governing a previous permit.

**IV. BOND REQUIREMENTS**

Prior to the issuance of a permit, the Applicant shall deposit with the City a Bond in an amount and form as shall be determined by the City of Lynn. The Bond amount may be established separately for each permit so that the City will be protected against loss in the event of the failure of the permit holder to complete the work or to reimburse the City for restoration involving the work or encroachment authorized by the permit.

The amount of Bond shall be computed on the basis of cost required to make proper restoration or repairs. (Addendum A). An annual blanket bond, acceptable to the Commissioner, may be deposited to avoid the inconvenience and expense of obtaining individual bonds for each permit requested. The Bond shall be released to the permit holder upon the expiration of the guarantee period. The guarantee period shall be for a period of three (3) years following the placement of the permanent patch. During the guarantee period, the Applicant shall be responsible for the restoration, repair, and maintenance of his work.

**V. INSURANCE REQUIREMENTS**

Prior to the issuance of the permit, an applicant for a permit to work within a Public Place shall furnish to the City certificates of minimum insurance including automobile, property damage liability, bodily injury liability, and workmen's compensation insurance in the amounts determined by the City of Lynn. Insurance coverage shall be reviewed and updated periodically. These certificates shall contain a provision that the insurance company will notify the certificate holder, by registered mail, at least 15 days in advance of any cancellation or material change. (Addendum A)

## **VI. FEES**

The Department of Public Works shall levy charges and fees as determined by the City of Lynn.

- A.** Administrative Processing Fee: An Administrative charge for processing will be required for all permit requests. This fee is outlined in Addendum A.
- B.** Unless otherwise exempted, an inspection fee will be charged for all street openings. The inspection fee will be determined by the area of the proposed excavation and will be remitted at the time the permit application is filed. Subsequent to completion of work, the inspection fee will be adjusted based upon the actual area of excavation and fees remitted prior to the release of the performance bond. Inspection fees are outlined in Addendum A.

## **VII. ISSUANCE OF PERMIT**

A permit shall be issued:

- A.** After completion of all aspects of the application for permit.
- B.** Upon receipt of a Bond and insurance in the correct amounts; and approval of said bond and insurance by the City Solicitor.
- C.** After payment of all applicable fees; administrative and inspection, as required.
- D.** Approved permits will be issued by the Department of Public Works within five (5) full working days after the application for a permit has been received in good order. A permit must be signed by the Commissioner or his designee before it becomes valid.
- E.** The term of a permit is to be determined by the Commissioner, or his designee. Permits shall be issued for a time period not to exceed ninety (90) days; however, all permits will expire on November 15th.
- F.** The Applicant is forbidden to commence work until the above mentioned items have been completed, and the Applicant has notified the Engineer's Department at least twenty-four (24) hours in advance of the exact date and hour he proposes to begin work.

## **VIII. EMERGENCY PERMITS**

Nothing in this manual shall be construed to prevent the making of such excavations as may be necessary for the preservation of life or property, provided that the person making such excavation shall apply to the City for such permit on the first

working day after such work is commenced. Before any excavation work is started, the person or utility excavating must contact all utilities and the City for on the spot locations.

## **IX. REVOCATION OF PERMITS**

Any permit issued by the City of Lynn is revocable immediately upon written notification to the Applicant.

## **X. DISPLAY OF PERMITS**

A copy of the Permit shall be at the job site at all times for inspection by local Department of Public Works personnel, police, and other interested persons. To be valid, the permit must show the effective and expiration dates and must be signed by the Commissioner or his designee. This regulation shall apply to subcontractors performing work on behalf of the Applicant.

## **XI. EXTENSION OF TIME**

All required work shall be completed in a manner satisfactory to the City before the expiration date shown on the permit except in cases where permanent repairs, such as loaming and seeding, must be made at a future date. Otherwise, the permit holder shall make written request to the City to allow for an extension of time. An extension of time may be granted, at the discretion of the Commissioner, upon written request by the Applicant stating the reason(s) for the request.

## **XII. INDEMNIFICATION**

The Applicant agrees as a condition governing the issuance of a permit, that he will hold harmless the City of Lynn, the Commissioner of Public Works, and his agents and employees from any and all claims and actions whatsoever arising from the experience of said permit.

## **XIII. CLEARANCE FOR VITAL STRUCTURES**

The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, valve housing structures, traffic signal cables and loops, and all other vital equipment as designated by the City.

## **XIV. PROTECTIVE MEASURES & TRAFFIC CONTROL**

### **Arterial Streets**

Permits issued on arterial streets, City Squares or other City designated areas, as highlighted and listed on Addendum C or as otherwise designated by the Commissioner, may have additional restrictions or requirements beyond those on permits normally issued.

### **Safety to Traffic**

It shall be the duty of the Applicant to make certain that the security of the traveling public is safeguarded and its rights are not unreasonably curtailed. Unless specifically indicated in the permit or authorized by the Commissioner, the traveled path shall not be obstructed. Storage of material and equipment shall not be allowed within the traveled way. The portions of the highway which are excavated, or are otherwise unsafe for public travel, shall be adequately protected at all times to avoid the possibility of accidents. Such areas shall be marked at night by barricades or traffic barrels with flasher beacons, or other warning devices approved by the Commissioner. When portions of the traveled way are made dangerous for the movement of vehicles or pedestrians, a sufficient number of uniformed police officers, as determined by the Chief of Police or his designee, shall be employed by the Applicant to direct the traffic safely through the areas. The work shall, if possible, be planned to avoid such conditions. A traffic management plan may be requested by the Commissioner as a condition of a permit.

### **Detours**

When, in the opinion of the Commissioner of Public Works, a City highway may be obstructed by the permit applicant's proposed operations to such an extent as to unduly restrict vehicular traffic or make hazardous its use, a parallel City road detour may be designated. A City approved traffic management plan shall be required in order to establish such a detour. All expenses incurred by the Applicant as a result of the establishment, use, and restoration of said detour shall be the entire responsibility of the Applicant. The Applicant shall notify the Police and Fire Departments of the layout and expected time of the use of the detour. The Applicant shall supply, install, and maintain such signs at his expense as may be necessary to clearly outline the detour. Prior to the detouring of traffic over a road bypass, an inspection shall be made by the Applicant and a representative of the City to determine the adequacy of the signs and the structural condition of the road involved. A second inspection shall be made when the detour is terminated so that there will be an agreement as to the extent of repairs, if any, to be made by the Applicant to restore the conditions equal to those existing prior to the establishment of the detour.

### **Protective Measures and Routing of Traffic**

The Applicant shall take appropriate measures to assure that during the performance of the excavation work, traffic conditions are as near normal as possible, and shall be maintained at all times so as to minimize inconvenience to the occupants of

the adjoining properties and to the general public. The Applicant shall, in general, maintain safe crossing for two (2) lanes of vehicular traffic at all street intersections where possible, and safe crossings for pedestrians at intervals of not more than two hundred (200) feet. Adequate crossings shall be maintained for vehicles and pedestrians when an excavation is made across any public street, alley, or sidewalk. When an excavation on any roadway takes up more than one-third (1/3) of the roadway, and is to remain open overnight, steel bridging of sufficient strength will be required to maintain a normal traffic flow. Steel bridging shall be recessed to the level of the existing pavement and sufficiently secured if bridging is to be left in place longer than twenty-four (24) hours.

When traffic conditions permit and, in the opinion of the Commissioner, it is necessary, and with the approval of the Police and Fire Departments, the Commissioner may permit the closing of streets and alleys to all traffic for a period of time prescribed by him. The approval of the Commissioner shall be in writing (or by verbal approval in cases of emergency) and may require that the Applicant give notification to various public agencies and to the general public. In such cases, such written approval shall not be valid until such notice is given. In cases of an emergency on week nights, weekends, or holidays, the facility owner having such emergency shall contact the Police and Fire Departments by phone before closing a street to traffic. Warning signs shall be placed far enough in advance of the construction operation to alert traffic within a public street. Cones or other approved devices shall be placed to channel traffic in accordance with the instructions of the Commissioner, after his review of the proposed traffic control measures for the project.

## **XV. RELOCATION AND PROTECTION OF UTILITIES**

The Applicant shall not interfere with any existing facility without the written consent of the City and the owner of the facility. No facility owned by the City shall be moved to accommodate the Applicant, unless the cost of such work be borne entirely by the Applicant. The cost of moving privately owned facilities shall be similarly borne by the Applicant unless it makes other arrangements with the person owning the facility. The Applicant shall support and protect to the satisfaction of the owner of the facility, all pipes, conduits, poles, wires, or other apparatus which may in any way be affected by the excavation work, and do everything necessary to support, sustain, and protect them under, over, along, or across said excavation work. The Applicant shall secure approval of the method of support and protection from the owner of the facility. If any of said pipes, conduits, poles, wires, or apparatus should be damaged, and for this purpose pipe coating or other encasement or devices are to be considered as part of a substructure, the Applicant shall promptly notify the owner thereof. All damaged facilities shall be repaired by the agency or person owning them, and the expense of such repairs shall be charged to the Applicant. It is the intent of this paragraph that the Applicant shall assume all liability for damage to facilities and injury to persons. The City shall not be made a party to any action because of this paragraph. The Applicant shall inform himself as to the existence and location of all underground facilities and protect the same against damages. Any traffic loops damaged by the Applicant are to be replaced and/or repaired within twenty-four (24) hours.

## **XVI. PROTECTION OF PUBLIC PROPERTY**

The Applicant shall not remove, even temporarily, any trees, shrubs, traffic signs or survey bounds which exist in the street area without first obtaining the written consent of the appropriate City department or City official having control of such property

## **XVII. REPAIR OF ROADWAY EXCAVATIONS**

### **Temporary Repairs**

As soon as the excavation has been backfilled and compacted, the Applicant shall place a temporary patch on the excavation. The patch shall be placed as outlined in Addendum B.

It is the Applicant's responsibility to have all excavation patched or plated by the end of every working day. Open trenches will not be allowed overnight.

### **Permanent Repairs**

The Applicant shall complete all permanent repairs in the timeframe as outlined in Addendum B. The method of permanent patch is at the discretion of the Commissioner or his designee. The Applicant is responsible for maintenance of all permanent patches for three (3) years from completion of the pavement patch. The patch shall be placed as outlined in Addendum B.

The City may waive permanent repairs where resurfacing or overlays are planned or where in its opinion they are not necessary.

The City may, at any time, conduct tests to determine if the Applicant has complied with its specification on patching.

## **XVIII. DRIVEWAY OPENING**

The approval of a permit application for driveway construction shall be contingent on the following conditions:

a. That the driveway opening approval shall be used strictly to provide access to adjoining property and not for the purpose of parking or servicing vehicles within the City right-of-way.

b. The driveway shall be constructed in accordance with standard details and specifications for driveway openings and such changes as may be necessary to fit a particular condition. (See typical detail drawing III)

c. Existing driveway openings fronting the property and which will not be in use shall be reconstructed to a normal sidewalk and curb cross section where such sidewalk and curb exists.

d. No more than one combination entrance and exit shall be allowed for any property the frontage of which is less than sixty (60') feet. Parcels having a frontage from sixty (60') feet to one hundred (100') feet will be permitted two (2) entrances if a minimum of ten (10') feet is used as a channelizing island. Driveway layouts for lots with a frontage greater than one hundred (100') feet for which more than two (2) entrances are requested shall be reviewed separately by the Commissioner and a decision made based on the circumstances of each case. Driveways shall not have a greater width than thirty (30') feet (not including splays).

e. The driveway within the limits of the City right-of-way shall slope towards the gutters.

f. Gutters or drainage channels shall not be altered or impeded in any way. Where a driveway shall cross an open channel, the Applicant shall provide suitable drainage structures as determined by the Commissioner.

g. When existing sidewalk or curbing has to be removed to construct a driveway, such sidewalk or curbing shall be removed to its full depth and to formed joints. The breaking and removal of parts of sidewalk slabs or parts of curbing will not be permitted. All curbing removed is the property of the City of Lynn and must be returned to the City's storage yard. New sidewalks and curbs shall be constructed with materials consistent with that of the adjoining sidewalk and curb area.

h. Under unusual circumstances as decided by the Commissioner, the above regulations may be varied.

i. If, in the opinion of the Commissioner, a proposed driveway will jeopardize public safety, the request may be denied.

## **XIX. PROMPT COMPLETION OF WORK**

After an excavation has commenced, the Applicant shall prosecute with diligence and expedition all excavation work covered by the excavation permit, and shall promptly complete such work and restore the street as specified herein. The Applicant shall perform such restoration so as not to obstruct, impede, or create a safety hazard to either pedestrian or vehicular traffic.

No excavation may be left uncompleted for more than five (5) working days without applying a temporary patch. No open trenches are to be allowed overnight. All open trenches will be patched or plated at the close of the working day.

On Arterial Streets and City Squares, or other designated areas, all work will not be left uncompleted for more than one (1) day. Plated excavation will not be allowed for more than one (1) day before work is to be completed and a temporary patch is to be made.

## **XX. NOISE, DUST, DEBRIS**

Each Applicant shall conduct and carry out excavation work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of the neighboring property. The Applicant shall take appropriate measures to reduce, to the fullest extent practicable, noise, dust, and unsightly debris between the hours of 6:00 P.M. and 7:00 A.M. He shall not use, except with the express written permission of the City or in case of an emergency as herein otherwise provided, any tool, appliance, or equipment producing noise of sufficient volume to disturb the sleep of the neighboring properties.

## **XXI. PRESERVATION OF MONUMENTS**

Any monument set for the purpose of locating or preserving the lines of any street or property subdivision, or a precise survey reference point, or a permanent survey bench mark within the City shall not be removed or disturbed without first obtaining permission, in writing, from the City to do so.

Permission to remove or disturb such monuments, reference points, or benchmarks shall be granted only when no alternate route for the proposed substructure or conduit is available. If the City is satisfied that no alternate route is available, permission shall be granted only upon condition, by an agreement in writing, that the Applicant for such permission shall pay all expenses incidental to the proper replacement of the monument by the City.

## **XXII GRANITE AND CONCRETE CURB AND COBBLESTONES**

No person or utility shall remove, damage, haul away, or cause misalignment of any granite curbing, concrete curbing including radius curb and catch basin throat-stones, or cobblestones, for any reason whatsoever without first receiving permission from the Commissioner.

## **XXIII PERMANENT PAVEMENT MARKINGS**

Any permanent pavement markings disturbed by the Applicant shall be replaced, as per City of Lynn Specifications, within ten (10) days of completion of work.

## **XXIV EXCAVATION DURING WINTER**

No person or utility shall be granted a permit to excavate or open any street or sidewalk from November 15th of each year to April 1st of the next year unless an emergency or special condition exists and permission is obtained, in writing, from the Commissioner. Controlled Density Fill (CDF) will be mandatory back fill between these aforementioned dates. Any person or utility wishing to obtain an excavation permit between the aforementioned dates shall first explain fully, in writing, the nature of the emergency situation to the City before permission is granted. If a hazardous condition, which would endanger life and/or property exists, excavation work shall not be delayed by this section of the manual. However, a written explanation shall be delivered to the City as soon as possible and an excavation permit obtained for the opening made. If



plates are to be used, they shall be recessed and secured and will be maintained so as to allow snow plowing should a snowstorm occur. If not maintained contractor will be responsible for snow removal. It is the Applicant's responsibility to have all excavations patched by the end of every working day. Open trenches will not be allowed overnight.

## **XXV. INSPECTIONS**

The City shall make such inspections as are reasonably necessary in the enforcement of these regulations. The City shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary.

## **XXVI. EXCAVATION ON A RESURFACED STREET**

Whenever the City has developed plans to reconstruct a street, the City, or its representative, shall give written notice thereof to all public and private utilities which have, or may wish to, lay pipes, wires, or other facilities in or under the roadway. Upon receipt of such written notice, such person or utility shall have thirty (30) days in which to repair, replace, install or lay any such facility. If an extension of time is needed by a person or utility for the repair, replacement, or installation of such facilities, the person or utility shall make a written application to the City explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed and after such street has been reconstructed, no permit shall be granted to open such street for a period of five (5) years, unless an emergency condition exists or the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. If a permit is granted, the City may impose extraordinary conditions on the Applicant to preserve the structural condition of the pavement.

CDF (Control Density Fill) shall be mandatory for all resurfaced streets and shall conform to the Massachusetts Highway's standard specifications for highways and bridges, dated 1995, as amended. CDF shall meet the requirements of section M4.08.0.

Multiple trenches within fifteen (15) feet of each other shall be combined and paved within seven (7) days. The method employed shall be as follows.

The outer edges of the trenches shall be squarely saw cut and extend ten (10) feet each side of the trench line. The pavement between the adjacent trenches shall use a grind and overlay method.

A list of streets that have been resurfaced within the past five years will be published and available at the Department of Public Works (D.P.W.) as of April 1<sup>st</sup> of each year.

## **XXVII. PENALTY**

Any person, firm, or corporation who violates any of the regulations of this manual shall be guilty of a misdemeanor and upon conviction thereof, shall be fined by a non-criminal disposition as provided in the General Laws, chapter 40, 21D according to the following schedule:

First Offense.....	\$50.00
Second Offense.....	\$150.00
Third Offense.....	\$300.00

Each day such violation continues, shall constitute a separate offense.

If the work, or any part thereof, mentioned in the preceding sections shall be unskillfully or improperly done, the City shall cause the same to be skillfully and properly done, and shall keep an account of the expense thereof; and, in such case, such person or utility shall pay the City an amount equal to the whole of said expense incurred by said City with an additional amount of 50% to cover indirect costs. Thereafter, upon completion of the work and the determination of the costs thereof, the City shall issue no further permits to any person or utility until it shall receive payment of said costs.

Any person or utility who continues to violate any regulation of this manual shall receive no further permits until such time as the City is satisfied that the person or utility shall comply with the terms of this manual.

## **ADDENDUM A**

### **BOND, INSURANCE, AND FEE SCHEDULE**

#### **BOND**

- Cash Bond - Certified Check or Money Order for \$1,000.00; payable to the City of Lynn. Bond to be returned after job has been completed to satisfaction of the City,
- Street Permit Bond - \$5,000.00 in the name of the City of Lynn

#### **INSURANCE**

Workmen's Compensation	Statutory Bodily Injury	Property Damage
Comprehensive Automobile	\$100,000.00 each person	\$50,000.00 each occurrence
Liability	\$300,000.00 each occurrence	
Comprehensive General Liability, including blanket Contractual Liability and Completed Operations Coverage	\$300,000.00 each occurrence	\$50,000.00 each occurrence

#### **FEES**

Administrative Fee: A \$50.00 administrative fee, non-refundable, is required for each permit requested. Fee is payable to the City of Lynn Department of Public Works

Inspection Fee:	Inspection and Maintenance fee for excavations up to 100 sf in area	\$150.00
	Each additional 100 sf or portion thereof	\$ 50.00
	Inspection and Maintenance fee for Soil Borings and Small Holes	\$ 25.00

The inspection fee for soil borings and small holes may be modified and/or combined should a number of the borings/holes be located closely together as determined by the Commissioner.

## **ADDENDUM B**

### **SPECIFICATIONS FOR REPAIRING FOR EXCAVATION IN CITY STREETS AND SIDEWALKS.**

#### **CITY OF LYNN DEPARTMENT OF PUBLIC WORKS**

#### **GENERAL**

The Applicant will be required to furnish all materials and will be responsible for the job to be done in a workmanlike manner. Before any work will be acceptable to the City, all improvements must be placed in as good condition as, or better than, before the work was started, as determined by the Commissioner, or his designee.

#### **I. BREAKING THROUGH PAVEMENT**

##### **Breaking through Pavement in Street**

- (a) All excavation on paved street surfaces shall be precut in a straight line with a pavement breaker or saw, or other approved device.
- (b) Heavy duty pavement breakers may be prohibited by the City when the use endangers existing substructures or other property.
- (c) Cutouts of the trench line must be normal or parallel to the trench line.
- (d) Pavement edges shall be trimmed to a vertical face and neatly aligned with the centerline of the trench.
- (e) Unstable pavement shall be removed over cave-ins and over breaks, and the sub-grade shall be treated as the main trench.
- (f) The Applicant shall not be required to pay for repair of pavement damage existing prior to the excavation unless his cut results in small floating sections that may be unstable, in which case the Applicant shall remove the unstable portion and the area shall be treated as part of the excavation.
- (g) The maximum length of open trench permissible, at any time, shall be two hundred (200) feet. No greater length shall be opened for pavement removal, excavation, construction, backfilling, patching, or any other operation without written permission of the City.

If any side of the trench is within five (5) feet of the granite curbing, the cut shall extend to the granite curbing. If any side of the trench is within five (5) feet of the bituminous berm, the cut shall extend one (1) foot out from the berm.

## **Breaking through Pavement in Sidewalks**

- (a) All parts of the above section shall apply to sidewalk excavation.
- (b) On cement concrete sidewalks, all cuts shall be from the nearest joint or score line. On bituminous concrete sidewalks, any cuts will be continued to the full width of the sidewalk.
- (c) Any person or utility damaging bituminous concrete curbing during the course of excavation, or for any other reason, shall be charged for the replacement of the bituminous concrete curbing. Also, no person or utility shall remove, damage, haul away, or cause misalignment of any granite curbing, including radius curb and catch basin stones, or cobblestones, for any reason whatsoever without first receiving permit from the Commissioner of Public Works.

## **II. BACKFILLING OF AN EXCAVATION**

Backfill shall be placed in lifts of eight (8) to ten (10) inches and thoroughly compacted to not less than 95% of maximum density by approved mechanical compactor(s).

Backfill material shall be of a good quality as determined by the inspector. Native material may be utilized if of good quality, and if it will meet State Specification M103.0 Type C. However, the last twelve (12") inches of backfill shall consist of good clean bank gravel, M103.0 Type C.

All backfill material within the street right-of-way must meet State Specification M103.0 Type C. A sieve Analysis and Proctor may be required with a permit application.

CDF (controlled density fill) may be required if proposed excavation is in a street or City Square as listed in Addendum A, the excavation is between November 15<sup>th</sup> and April 15<sup>th</sup> or the street has been resurfaced within the last five (5) years.

The City may require soil tests to be furnished by a recognized testing laboratory or registered professional engineer specializing in soil mechanics, when in its opinion, backfill for any excavation is not being adequately compacted. In order for the resurfacing to be permitted, such tests must show that the backfill materials meet the minimum requirements as prescribed by the City. All expense for such tests shall be borne entirely by the Applicant.

## **III SPECIFICATIONS FOR PATCHING BITUMINOUS CONCRETE ROADWAYS**

**Temporary Patch:** The top surface of backfill shall be covered with four (4) inches of bituminous concrete Type I (Drawing I) immediately following completion of the backfill. The Applicant shall be required to maintain this patch for at least ninety (90) days or until the permanent patch is placed. The patch should be such that all vehicular and pedestrian traffic are able to pass over safely at a legal rate of speed.

Pavement installation to be done in accordance with Section 460 of MHD specification. See Drawing I.

The Applicant is responsible to maintain the temporary patch until placement of the permanent patch. Should it become necessary to correct settlement in temporary patches, the City will notify the Applicant. Should the Applicant not repair the patch within an acceptable timeframe, as designated by the Commissioner, the City will have the patch repaired and bill the Applicant for all costs incurred.

The requirements of a temporary patch may be waived if Control Density Fill (CDF) is used as backfill.

**Permanent Patch:** After the contractor has placed a temporary patch, he shall allow sixty (60) days for settlement or as directed by the Commissioner before placing a permanent patch (see Permanent Patching Schedule).

#### **PERMANENT PATCHING SCHEDULE**

WORK COMPLETED	PERMANENTLY PATCHED
April 1 - May 31	September 1
June 1 - June 30	October 1
July 1 - July 31	November 1
August 1 - August 31	November 15
September 1 - November 15	May 15, following year
November 15 - April 15	July 1

The method of permanent patch shall be directed by the Commissioner. Unless the Applicant requests, in writing, to vary the method of permanent patching, the Applicant will be required to perform a Conventional patch as described within these specifications.

#### **Conventional Permanent Patch (See Drawing II)**

The permanent patch shall be extended one foot on all sides of the temporary patch area. The pavement shall be cut in a neat straight line with a pavement saw. The cut shall be square or rectangular with edges parallel and perpendicular to the street line. Cuts shall be straight and vertical. If any side of the trench is within 5 feet of the curb or berm, the cut shall extend to the granite curbing or one (1) foot out from the berm.

A tack coat shall be applied to the vertical faces of the existing pavement before placing the permanent patch. A tack coat will also be applied between layers of pavements.

The permanent patch shall be applied in two (2) layers. The first layer shall be a minimum of two and one half (2 1/2) inches of bituminous concrete base, Type-I. The top layer shall be one and one half (1 1/2) inches of bituminous concrete surface, Type-I. The two layers of bituminous concrete shall be compacted separately. Mechanical compactors will be permitted for patches less than ten (10) square yards; patches

exceeding ten (10) square yards shall be rolled with an appropriately sized power driven, steel wheeled roller. Emulsion and stone dust shall be applied to the seam to seal it.

After one (1) seasonal movement the permanent patch shall either be infrared treated by a firm certified in the infrared process or a grind and overlay method maybe required.

All pavement installation shall be in accordance to Standard Specification, Section 460.

The Contractor shall be required to correct trench settlement and faulty pavement patches, for a period of three (3) years after the permanent patch is placed, at the discretion of the Department of Public Works.

#### **IV. SPECIFICATIONS FOR PATCHING DRIVEWAYS, SIDEWALKS, AND RAMPS**

**Subgrade:** The subgrade for sidewalks and driveways shall be shaped parallel to the proposed surface of the walks and driveways and thoroughly compacted. All depressions occurring shall be filled with suitable material and again compacted until the surface is smooth and hard. The driveway shall be shaped as shown on Drawing III.

**Foundation:** After the subgrade has been prepared, a foundation of gravel meeting Standard Specification M103.0, Type C, shall be placed upon it. After being thoroughly compacted, the foundation shall be at least eight (8) inches in thickness and parallel to the proposed surface of the driveway and/or sidewalk.

**Patching of Bituminous Concrete Driveways and Ramps:** Patching of bituminous concrete driveways shall be done in accordance with Sub-section 701.63 of the Standard Specifications for Highways and Bridges of the Massachusetts Department of Public Works. Driveways and ramps shall have a pavement thickness of three and one-half (3-1/2") inches. The bottom course shall be two and one-half (2-1/2") inches of bituminous concrete base Type I. The top layer shall be one (1") of bituminous concrete surface Type-I. The thickness of the layers shall be measured after compaction. The two layers of bituminous concrete shall be compacted separately with a tack coat applied between layers.

**Patching of Bituminous Concrete Sidewalks:** Patching of bituminous concrete sidewalks shall be done in accordance with Sub-section 701.62 of the Standard Specifications. Sidewalks shall have a pavement thickness of three (3) inches placed in two courses. The bottom course shall be a two (2) inch bituminous concrete base Type I course. The top course shall be one (1) inch of bituminous concrete surface Type I. The thickness of pavement layers shall be measured after compaction. The two layers of bituminous concrete shall be compacted separately.

Unless otherwise directed, the final sidewalk surface shall have a pitch of 3/16 of an inch per foot of width to provide for proper drainage.

The materials and workmanship of all bituminous concrete shall comply with applicable requirements of the Standard Specifications of Section 460 and 701.

**Patching of Cement Concrete Driveways, Sidewalks, and Ramps:** Patching of cement concrete sidewalks and driveways shall be done in accordance with Sub-section 701.61 and 476 of the Standard Specifications.

Driveways and ramps to have a pavement thickness of six (6) inches. Sidewalks to have a pavement thickness of four (4) inches. Sidewalk surface to pitch at 3/16 of an inch per foot to provide proper drainage. All sidewalks to be removed and replaced to the nearest joint. Replacement of less than whole squares is not allowed.

**Wheelchair Ramps:** Wheelchair ramps damaged or removed during construction are to be replaced. Replacement of ramps for location, layout, and grade is to conform with "Mass Highway - Wheelchair Ramp Standards", revised 4/4/97, as amended, as well as the most recently amended Architectural Access Board, Standards, and the Americans with Disabilities Act.

## **V. CURBING**

**Granite Curbing and Edging:** Granite curbing or edging removed or misaligned during work must be removed and reset in accordance with Standard Specifications Section 580. Curbing or edging chipped or cracked shall be replaced with new curbing or edging as per Standard Specification Section 500. New curbing or edging will meet Standard Specification Section M9.04.1, M9.04.2, M9.04.5, and M9.04.6. All mortar used in curb/edging work to conform to Standard Specification M4.02.15 (See Drawing V and VI). All joints to be mortared prior to construction of sidewalk or street patch.

**Concrete Curb:** Concrete curbing damaged or misaligned during work must be removed and reset in accordance with Standard Specification Section 580. Damaged concrete curb to be replaced with new precast concrete curbing meeting Standard Specification M4.02.00.

Concrete curbing integral with the existing concrete sidewalk shall be replaced in kind. Concrete to conform to material Specification M4.02.00 (see Drawing VII). Any integral curbing damaged shall be replaced along with all associated sidewalk.

**Bituminous Concrete Berm:** Bituminous concrete berm shall consist of Class I Bituminous Concrete, Type I-1 and workmanship to conform to Standard Specification Section MN.312.0 and Section 500.

The berm shall be placed on a Class I Bituminous Concrete shelf with a minimum rolled thickness of two (2) inches. The berm shall be placed and compacted with a machine and form acceptable to the Commissioner or his designee. The berm is to be placed to line and grade of adjacent berm or as directed by the City Engineer.

## **VI REPAIR OF LANDSCAPED AREAS**

Existing landscaped or grassed areas disturbed by work shall be replaced in kind. New loam, fertilizer, and seed shall be placed in the disturbed areas. Materials and workmanship to conform to Standard Specification Sections 751, 765, 766, 767, and 770. Any plantings disturbed by work shall be replaced as per Standard Specification Section 771.



Loam shall be compacted to a depth of six (6) inches, rolled, and uniformly graded. Loam shall conform to Material Specification M1.05.0. At the discretion of the Commissioner, seeding may require the placement of hay mulch over heavily trafficked areas. Grass seed shall conform to Standard Specification M6.03.0

## **VII CLEANUP AND SITE RESTORATION**

During its progress, the work and the adjacent areas affected thereby shall be kept clean and all rubbish, surplus materials, and needed construction equipment shall be removed and all damage repaired so that the public and property owners will be inconvenienced as little as possible.

Stockpiling of materials within the street layout is not allowed without the permission of the Commissioner or his designee.

Where material or debris has washed or flowed into or been placed in existing watercourses, ditches, gutters, drains, pipes, or structures, work done under this contract, or elsewhere during the course of the Contractor's operations, such material or debris shall be entirely removed and satisfactorily disposed of during the progress of the work, and the ditches, channels, drains, pipe, structures, and work, etc., shall, upon completion of the work, be kept in a clean and neat condition.

During work, the Contractor is responsible for maintaining a clean street. Should it become necessary, the contractor will sweep the streets in the area of the work with a mechanical sweeper as directed by the Commissioner or his designee. Should the Applicant not respond to this request in a timely fashion, as determined by the Commissioner, the City will have the affected area swept, and the Contractor will be responsible for all changes incurred therein.

On or before the completion of the work, the Contractor shall, unless otherwise especially directed or permitted in writing, remove all temporary works, tools, and machinery or other construction equipment furnished by him; shall remove all rubbish from any grounds which he has occupied; and shall leave the roads and all part of the premises and adjacent property affected by his operations in a neat and satisfactory conditions.

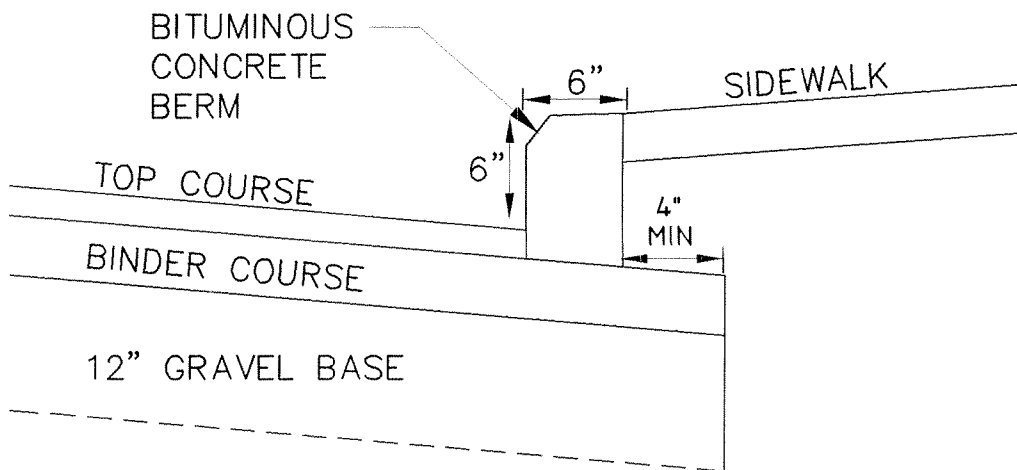
The Contractor shall restore or replace, when and as directed, any public or private property damaged by his work, equipment, or employees, to a condition at least equal to that existing immediately prior to the beginning of operations. To this end, the Contractor shall do as required all necessary highway or driveway, walks, and landscaping work. Suitable materials, equipment, and methods shall be used for such restoration.

The Contractor shall thoroughly clean all areas disturbed by him and his subcontractors, and on completion of the work shall deliver it in as good or better than existing conditions.

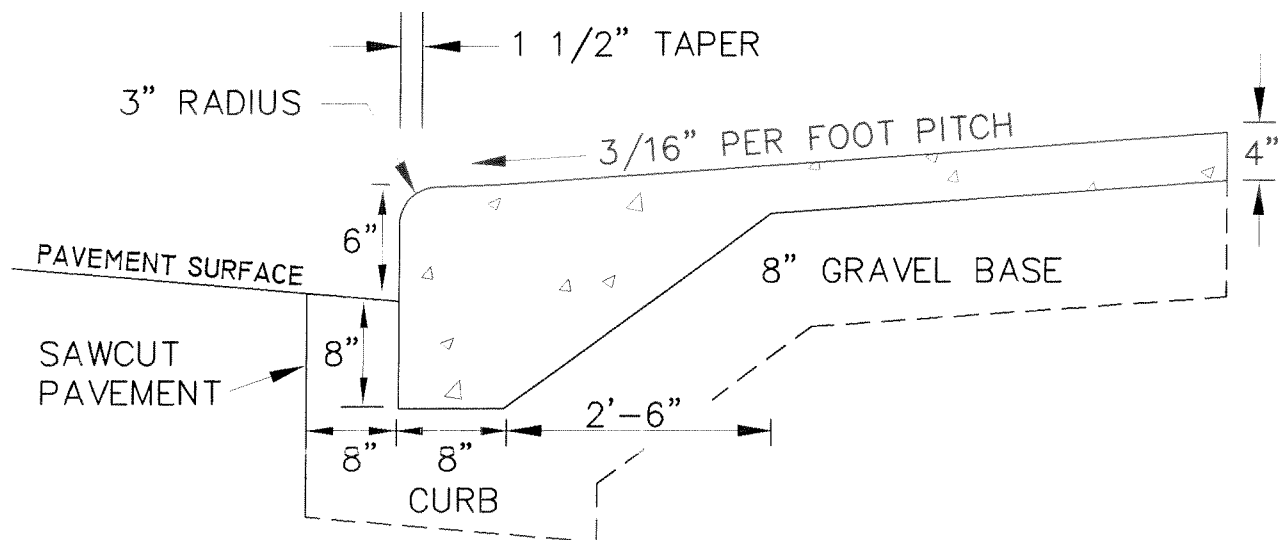
## ADDENDUM C

### STREETS IN THE CITY OF LYNN PERMIT RESTRICTIONS

ANDREW STREET	MCDONOUGH SQUARE
BALDWIN STREET	MT. VERNON STREET
BLAKE STREET	MUNROE STREET
BOSTON STREET	NEPTUNE BOULEVARD
BROAD STREET	NEW OCEAN STREET
BROADWAY	NORTH COMMON STREET
BUFFUM STREET	O'CALLAGHAN WAY
BURCHSTEAD PLACE	OCEAN STREET
CEDAR BROOK ROAD	OLYMPIA SQUARE
CENTRAL AVENUE	OXFORD STREET
CHATHAM STREET	PARKLAND AVENUE
CHESTNUT STREET	PINKHAM PLACE
CHESTNUT STREET	PINKHAM STREET
CITY HALL SQUARE	PLEASANT STREET
DEN QUARRY ROAD	RANGE AVENUE
DUNGEON AVENUE	SCHOOL STREET
EASTERN AVENUE	SHOREY STREET
ELLIS STREET	SILSBEE STREET
ESSEX STREET	SMITH STREET
EUCLID AVENUE	SOUTH COMMON STREET
EXCHANGE STREET	SPRING STREET
FOREST STREET	STATE STREET
FRANKLIN STREET	STEWART STREET
GREAT WOODS ROAD	STORY AVENUE
GREEN STREET	STORY STREET
HIGH STREET	SUMMER STREET
HOLYOKE STREET	TREMONT STREET
JAMES STREET	UNION COURT
JENNESS STREET	UNION PLACE
JOHNSON STREET	VETERANS MEMORIAL SQUARE
JOYCE STREET	VIOLET STREET
LEWIS STREET	WALNUT STREET
LIBERTY STREET	WASHINGTON STREET
LINCOLN STREET	WEST GREEN STREET
LINWOOD ROAD	WESTERN AVENUE
LYNNFIELD STREET	WILLOW STREET
MAPLE STREET	WINNEPURKIT AVENUE
MARKET STREET	YORK ROAD



DRAWING IV  
BITUMINOUS CONCRETE BERM  
 NTS



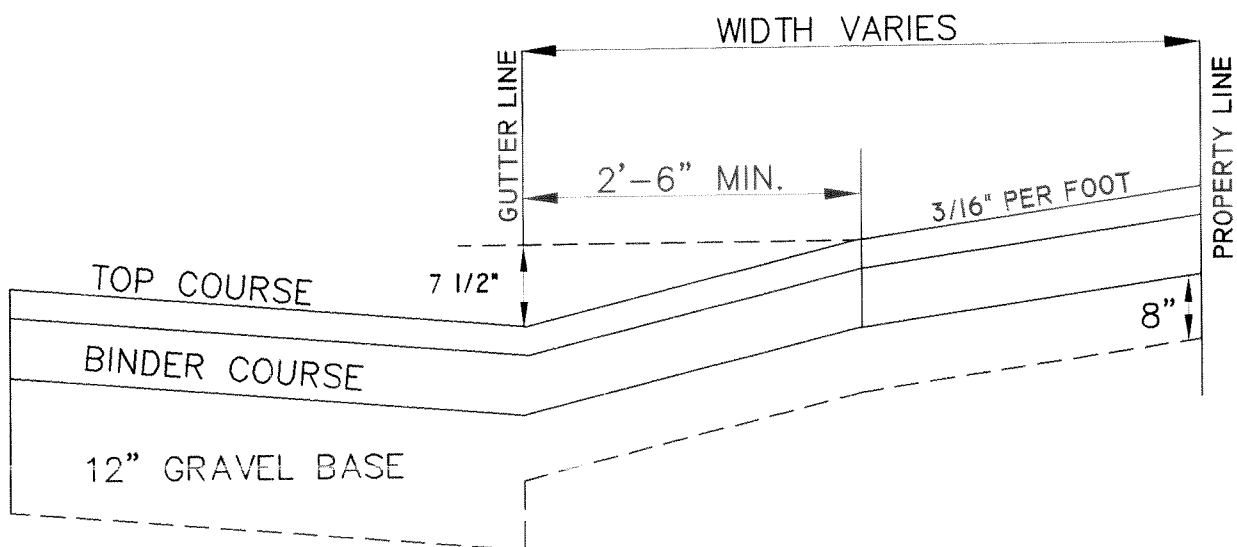
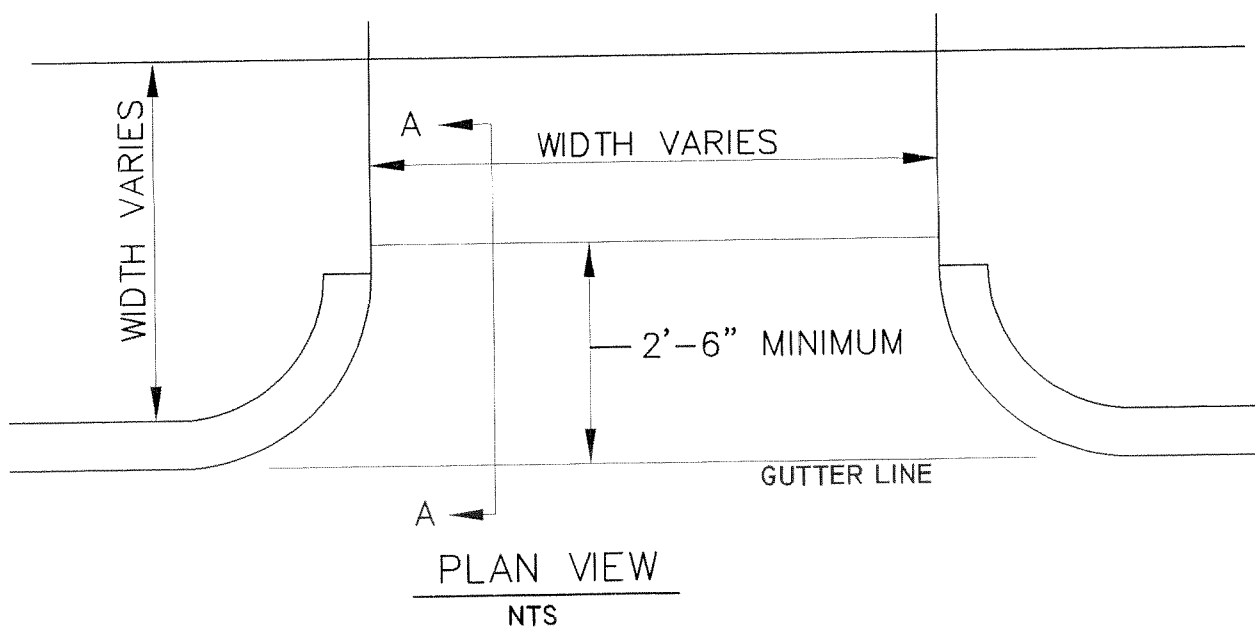
DRAWING VII  
CONCRETE WALK WITH INTEGRAL CURB  
 NTS

# STREET OPENING PERMIT MANUAL

CITY OF LYNN  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING

September 1998

STPMT.DWG



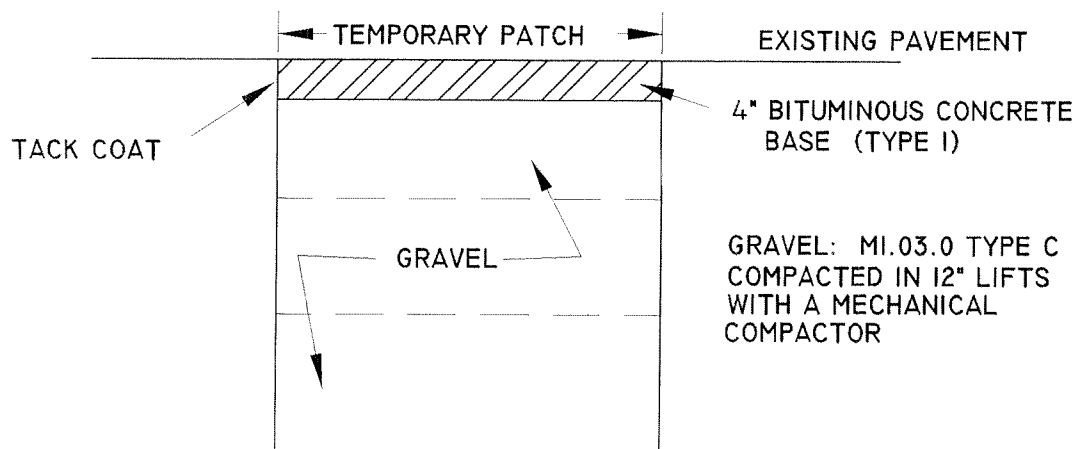
SECTION A - A  
NTS  
**DRIVEWAY SECTION**  
DRAWING III

STREET OPENING  
PERMIT MANUAL

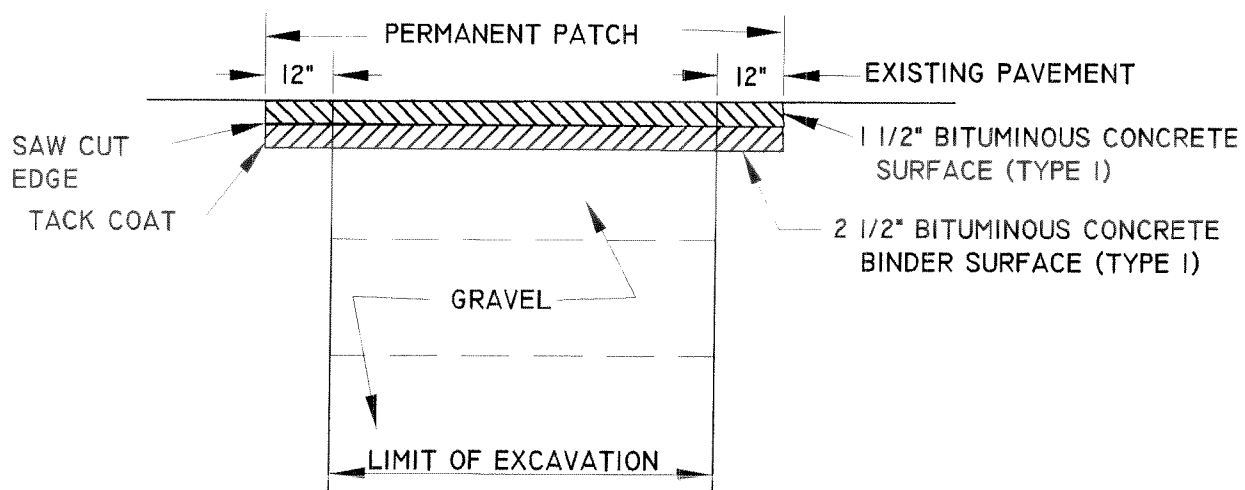
CITY OF LYNN  
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DRAWING 1 – TEMPORARY PATCH  
NTS



DRAWING II – PERMANENT PATCH  
CONVENTIONAL  
NTS

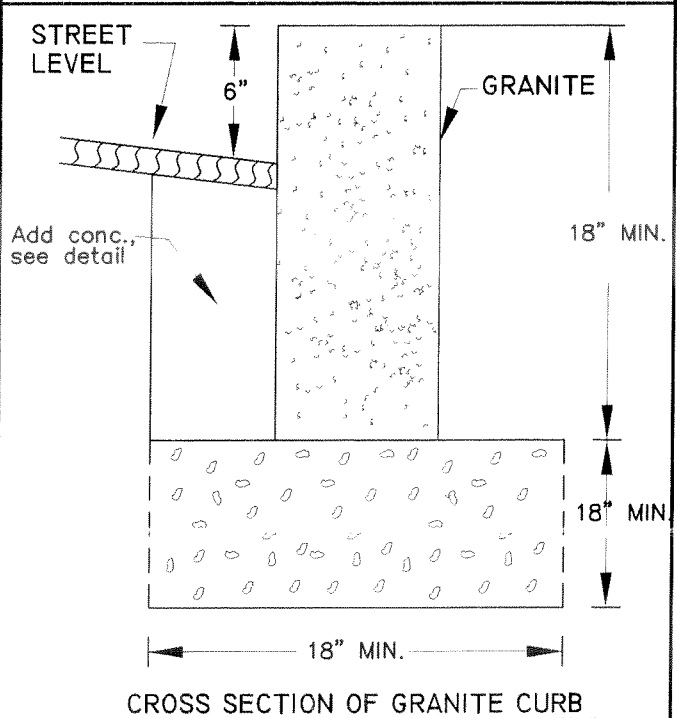
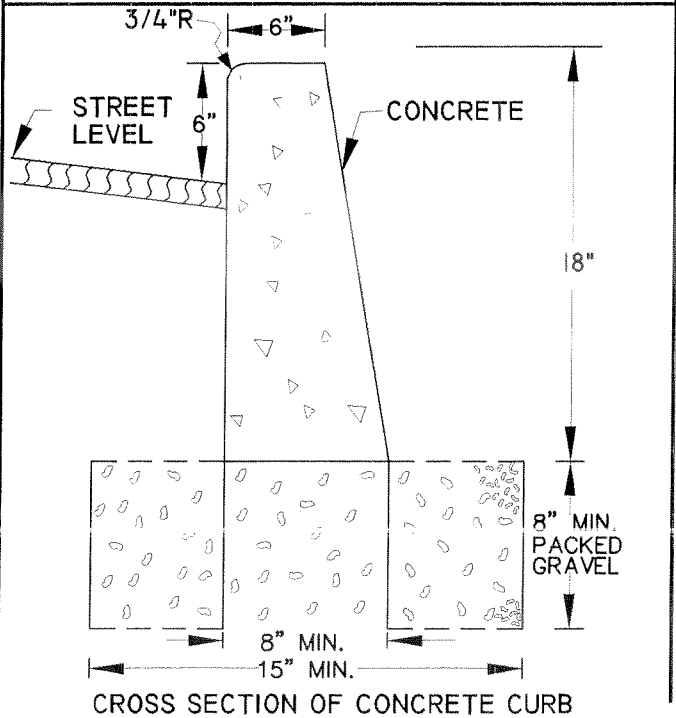
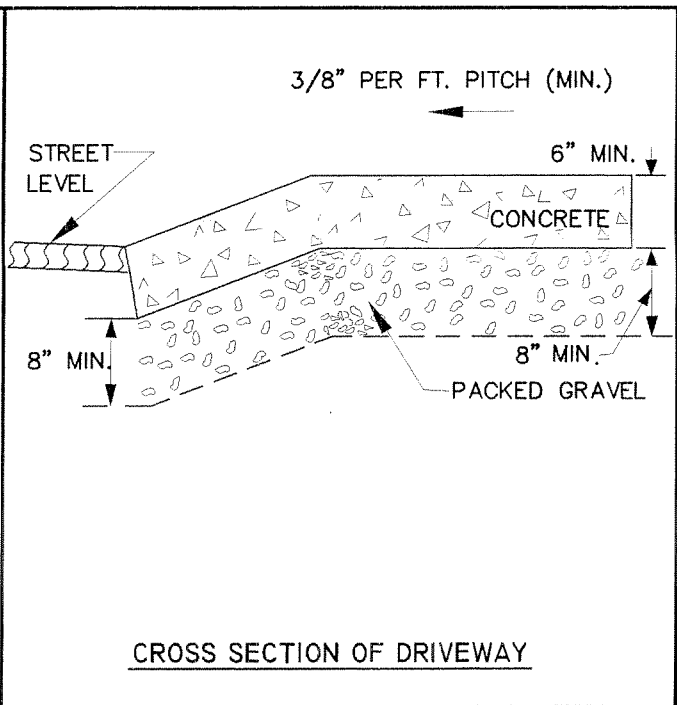
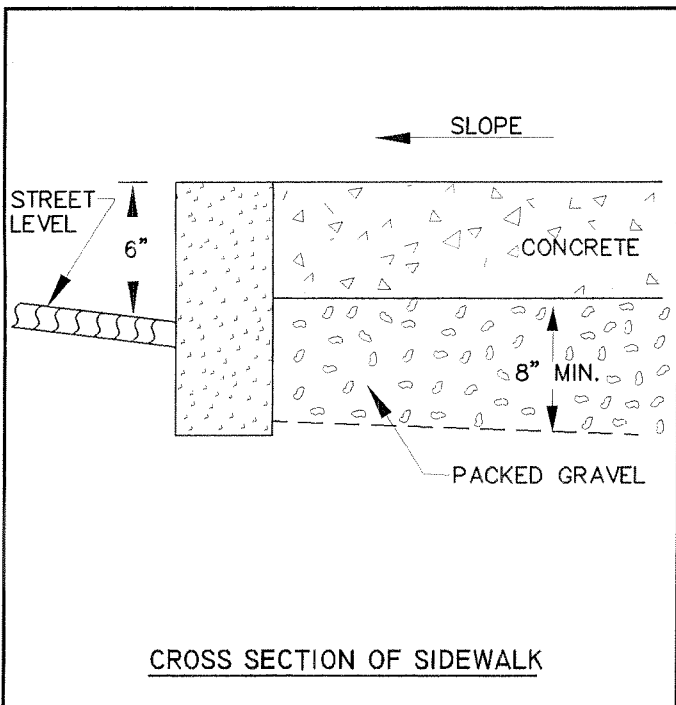
NOTE: PERMANENT PATCH FOR ROADS HAVING A PAVING BLOCK OR CONCRETE BASE SHALL INCLUDE A LAYER OF BITUMINOUS CONCRETE (BINDER COURSE) EQUAL TO THE DEPTH OF THE EXISTING CONCRETE OR PAVING BLOCK.

**STREET OPENING  
PERMIT MANUAL**

**CITY OF LYNN  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING**

**September 1998**

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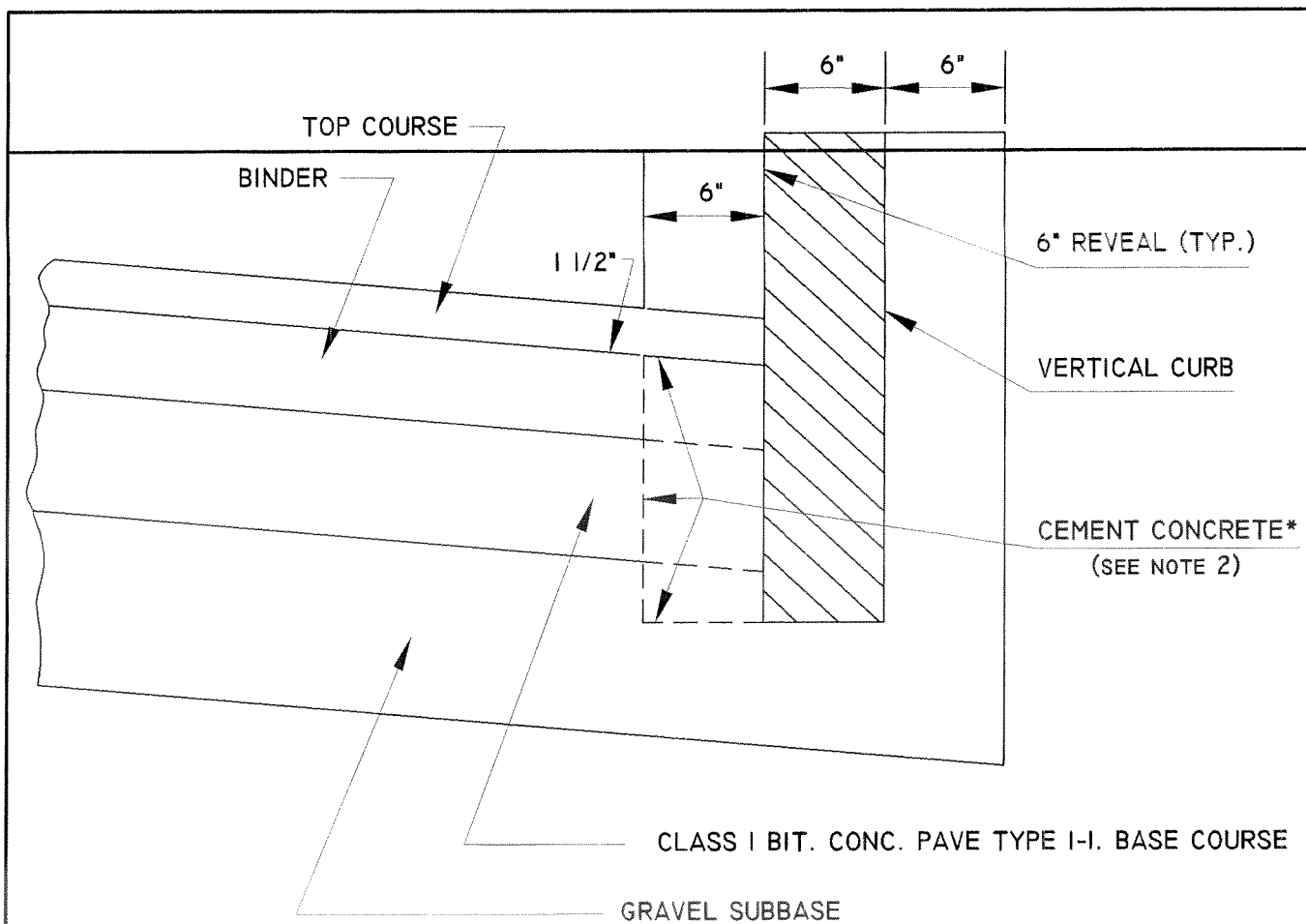
DRAWING V  
VERTICAL CURB  
NTS

STREET OPENING  
PERMIT MANUAL

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DEPARTMENT OF PUBLIC WORKS  
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\*PROCEDURE DESCRIBED HEREIN IS APPLICABLE ONLY IF CURB IS TO BE SET OR RESET AFTER BASE AND/OR BINDER COURSES ARE IN PLACE; OTHERWISE CEMENT CONC. WILL BE ELIMINATED AND GRAVEL BROUGHT UP TO BOTTOM OF BASE COURSE.

FOR DESCRIPTION, MATERIALS AND CONSTRUCTION METHOD, SEE SPECIFICATIONS.

NOTES:

1. CUT NEAT LINE 6" FROM CURB LINE AND REMOVE BINDER, BASE AND STONE, REPLACE WITH CEMENT CONCRETE.
2. ANY CLASS CEMENT CONCRETE THAT IS ACCEPTABLE TO THE DEPT. UNDER SECTION M4 OF THE 1993 STANDARD SPECIFICATIONS; ALL TEST REQUIREMENTS ARE WAIVED. BITUMINOUS CONCRETE IS NOT TO BE USED AS A SUBSTITUTE.
3. PAYMENT FOR CEMENT CONCRETE WILL BE INCLUDED IN THE PRICE PER LINEAL FOOT OF CURBING.

DRAWING VI  
VERTICAL CURB  
NTS

STREET OPENING  
PERMIT MANUAL

CITY OF LYNN  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING

September 1998

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